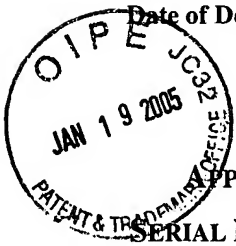


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Date of Deposit: January 19, 2005

PATENT APPLICATION
Attorney Docket No. 22493-501



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Kurtis et al.
SERIAL NUMBER : 10/008,340 EXAMINER : Scott David Priebe
FILING DATE : November 13, 2001 ART UNIT : 1632
FOR: SUSTAINED BIOACTIVE AGENT DELIVERY DEVICE AND
METHODS OF MAKING AND USING THE SAME

MAIL STOP AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


NOTICE OF APPEAL

In response to the Final Office Action mailed July 20, 2004, Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Examiner's Final Office Action finally rejecting claims 2 and 4-15 in the above-identified application. A check in the amount of \$250.00 for filing this appeal is enclosed herewith pursuant to 37 C.F.R. § 1.17(b)(1).

A petition and fee for a three-month extension is filed herewith. The Commissioner is authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Ref. No. 22493-501. A duplicate copy of this Notice is enclosed.

Respectfully submitted,

Dated: January 19, 2005


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